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UNCLAS SECTION 01 OF 02 KUWAIT 004794

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STATE FOR NEA/ARPI AND S/CT, LONDON FOR TSOU, PARIS FOR ZEYA

E.O. 12958: N/A

TAGS: [PTER](#) [PREL](#) [PGOV](#) [JO](#) [IZ](#) [SA](#) [KU](#) [TERRORISM](#)
SUBJECT: PENINSULA LIONS UPDATE: DEFENSE CHALLENGES CHARGES
WHILE ADMITTING CLIENTS' GUILT

REF: A. KUWAIT 4322
[1](#)B. KUWAIT 1308

[1](#)1. (SBU) The trial of the Peninsula Lions resumed on November 12 amid tightening security with over a dozen defense lawyers presenting their arguments one-by-one as the trial judges sat and listened. The hearing, which began at 2 pm, has continued in extraordinary sessions finishing after 8 pm each night of the past week. The lawyers decided, as a group, to present their defense back-to-back for the sake of clarity and effectiveness. The presiding judges allowed the defense a week to present its case but have asked that they conclude by Wednesday, November 16. Poloff and PolAssistant were present for the first defense lawyer's opening which focused on U.S. actions in Iraq as a reason for the defendants decision to take up arms. Some lawyers stated that their defendants never planned for jihad in Kuwait, only in Iraq, and therefore their defendants should be released. Others, claiming that their clients confessed under duress and torture, asked for immediate acquittal, while one attorney stated that his client was guilty but that he was now schizophrenic due to the interrogation methods and should be released. There has been widespread coverage in both Arabic and English press since the restart of the case and a date for the judges' final decision on the fate of the thirty-seven is expected to be announced at the end of the November 16 session.

The Defense: Kuwait was Never a Target

[1](#)2. (SBU) The first defense lawyer, Khaled Al-Abdul Jalil, who represents six defendants, contended that his clients never planned any harm to the State of Kuwait or its officials, because they were planning on conducting jihad against "occupation" forces in Iraq. (Note: Conducting operations in a foreign country against forces friendly to Kuwait, i.e. the U.S., is illegal under Kuwaiti law. End note.) Stating that satellite television showed images of foreign forces killing innocent civilians in Iraq, Jalil asked for either full acquittal or maximum leniency since they have no prior arrests. Following him were several lawyers who stated that their clients' confessions should be considered inadmissible due to the torture they endured before signing them. Pointing out that there was a medical report which supported the allegation of torture for some defendants, the lawyers simply asked for release of their clients and presented no further defense. Osama Al-Monawer, a lawyer as well as defendant #26, asked for his own acquittal and that of his clients, citing illegal wiretaps,

lack of evidence, and the fact that he himself is innocent of all charges. (Note: Al-Monawer is also representing accused jihadis in a separate trial. End note.)

¶3. (SBU) The list of the thirty-seven defendants was exhibited outside the courtroom. Although still incomplete, the names of the defendants listed below is now updated to reflect the posted names as the court is filing them. The defendants are still identified in court by number. Post continues to verify the names at each hearing, since a complete roster of full names is still not available. All updated names will be submitted to the Department under the Visas Viper program.

- ¶1. Mohammed Sa'ad Bin Oun
- ¶2. Ahmed Masameh Mohsen Majed Al Mutairi
- ¶3. Abdullah Saeed Habib Al Shimmari aka Abdullah Bu Arwa
- ¶4. Ahmed Mutlaq Nasser Al Mutairi
- ¶5. Misha'al Mutaal Mohammed Al Shimmari
- ¶6. Suleiman Hamed Suleiman Al-Shimmari
- ¶7. Ahmed Naghmish Abdulaziz Al-Enezi
- ¶8. Mohammed Essa Nawaf Al-Shimmari
- ¶9. Salah Abdullah Rabea Khalaf aka Salah Rabea Al Shimmari
- ¶10. Mohammed Sareh Zhoufour Al Ajmi
- ¶11. Mohsen Fadl Ayad Al-Fadhel/Al-Fadhli
- ¶12. Majed Mayyah Jeza'ah Al-Mutairi
- ¶13. Maqbul Fahd Fahhad Al-Maqbul
- ¶14. Khaled Abdullah Falah Al-Dosairi
- ¶15. Hamed Nawaf Hamdi Al-Harbi
- ¶16. Mohammed Ajman Safar Al-Mutairi
- ¶17. Hussam Yousef Abdul-Rahim
- ¶18. Abdulla Adel Abdulatif Al Rabei

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- ¶19. Mohammed Abdullah Al-Otaibi
- ¶20. Ahmed Abdullah Mohammed Al-Otaibi
- ¶21. Abdul Latif Abdul Hadi Al Juwaisri
- ¶22. Mohammed Abdul Razzak Sheikh Essa
- ¶23. Fahed Shakheer Abdullah Al-Enezi
- ¶24. Nassir Ali Al-Otaibi
- ¶25. Mohammed Shuba'a Faraj Al-Otaibi
- ¶26. Osama Ahmed Hussein Al-Monawer
- ¶27. Bandar Ali Wanas Al-Shimmari
- ¶28. Adel Habib Al-Shimmari
- ¶29. Nouri Moudalal Muyeer Quwair
- ¶30. Faisal Amir Abu Qazila
- ¶31. Nuha Mohammed Roumi Al-Enezi
- ¶32. Talal Al-Adri
- ¶33. Faisal Falah Al-Dossari
- ¶34. Hamed Abdullah Hamed Al-Ali
- ¶35. Yassin Josef Mustapha
- ¶36. Mohammed Sa'ad Zamel Al-Rashidi
- ¶37. Ahmed Mohammed Wahish Al-Mutairi

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